

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER
09013.0009U.S. APPLICATION NO. (if known) see 37 CFR 1.5)
107577239INTERNATIONAL APPLICATION NO.
PCT/US2004/035444INTERNATIONAL FILING DATE
27 October 2004PRIORITY DATE CLAIMED
24 February 2004 and 27 October 2003TITLE OF INVENTION
METHOD FOR INDEXING CRYSTALLINE SOLID FORMS

APPLICANT(S) FOR DO/EO/US

Simon BATES, Igor IVANISEVIC, and Barbara C. STAHLY

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed with the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A Substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13(er.2 and 35 U.S.C. 1.821-1.825).
18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
19. A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. Other items or information:
 - a. Copy of cover page of International Publication No. WO 2005/045726 A2
 - b. Copy of Notification of Missing Requirements.
 - c. Copy of International Search Report
 - d.
 - e.
 - f.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/577239		INTERNATIONAL APPLICATION NO. PCT/US2004/035444		ATTORNEY'S DOCKET NUMBER 09013.0009	
The following fees have been submitted:				CALCULATIONS	PTO Use Only
21. <input checked="" type="checkbox"/> BASIC NATIONAL FEE (37 CFR 1.492(a)): \$300.00				\$300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the Written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200				\$200.00	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500				\$400.00	
TOTAL of 21, 22 and 23 =				\$900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate	
54 - 100 = 0	0/50=0	0		x \$250.00	0
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	35 - 20 =	15	x \$50.00		\$750.00
*Independent Claims	2 - 3 =	0	x \$200.00		\$0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$360.00	\$0
TOTAL OF ABOVE CALCULATIONS =					\$0
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$
SUBTOTAL =					\$1,650.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR 1.492(i)). +					\$
TOTAL NATIONAL FEE =					\$1,650.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +					\$
TOTAL FEES ENCLOSED =					\$1,650.00
					Amount to be refunded:
					charged:
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,650.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0916. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 901 New York Avenue, N.W. Washington, DC 20001-4413					
 SIGNATURE <hr/> STEVEN J. SCOTT/43,911 NAME/REGISTRATION NUMBER					
DATED: April 26, 2006					